

IN THE DRAWING:

Please substitute the attached replacement sheet of drawing, bearing Fig. 26, for the original sheet bearing that Figure. The only change being made is to correct the legend in box S2601 ("INQUIRY MEMOEY?" changed to --MAKE INQUIRY MEMORY?--).

REMARKS

Claims 1-9, 15 and 18 are in the application, of which Claims 1, 15 and 18 are in independent form, and have been amended to define still more clearly what Applicants regard as their invention. In addition, Fig. 26 has been corrected as required by the Examiner, by submission of a substitute drawing sheet as described above at page 7. Favorable reconsideration is requested.

On the outstanding Office Action, Claims 1, 15 and 18 were rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese Patent Laid-Open No. 6-164811 (*Ozaki*) and by U.S. Patent 5,822,123 (*Davies et al.*). In addition, Claims 2-4 were rejected under 35 U.S.C. § 103(a) as being obvious from *Ozaki* in view of U.S. Patent 6,295,389 (*Inui*), Claims 5-7, as being obvious from *Ozaki* in view of U.S. Patent 6,219,708 (*Martenson*), and Claims 8 and 9, as being obvious from *Ozaki* in view of U.S. Patent 6,185,603 (*Henderson et al.*).

Independent Claim 1 is directed to a data processing apparatus that comprises an instruction input unit, arranged to input a manual instruction by the operator, and a process unit, arranged to execute a predetermined process based on the input by the instruction input unit. A connection unit is arranged to connect with an external device, a storage unit stores message data, and time information, received from the external device through the connection unit, and a display unit displays the message data stored in the storage unit. The apparatus also comprises a discrimination unit, arranged to discriminate whether or not the manual instruction by the operator is not input for a period of time *designated by the time information received from the external device*. A control unit is arranged to control the display unit to start displaying information based on the message data stored in the storage unit, in response to the discriminated result provided by the

discrimination unit that no manual instruction by the operator has been input for the period of time designated by the time information received from the external device.¹

According to the structure recited in Claim 1, the data processing apparatus receives the message data and the time information from the external apparatus, and causes the display unit to display the message data when the manual instruction is not input for the period of time designated by the time information received from the external device. As a result, it is possible on the external device side to designate the contents of the message to be displayed on the data processing apparatus and the time condition for message display (that is, the time condition for causing the display unit to display the relevant message based on how long the manual instruction is not input).

Ozaki, at paragraphs [0090] and [0091], describes that external display data stored in the RAM 803 and data concerning the conventional image formation are switched and displayed on the LCD 701 every predetermined period of time. That is, the *Ozaki* system might be deemed similar to apparatus recited in independent Claim 1 in the point that the externally received data is displayed and that the display is controlled based on the lapse of a particular period of time.

However, the use of that period of time in the *Ozaki* apparatus is different from that which occurs in the apparatus recited in Claim 1. More specifically, the *Ozaki* apparatus does not discriminate whether or not a period of time has passed without a manual instruction being input by an operator, but only that the display data are switched every predetermined period of time.

^{1/} The italicized recitation is clearly supported by the disclosure in Fig. 9 and the corresponding disclosure of lines 5-12 of page 20 in the originally filed specification. It is of course to be understood that the claim scope is not limited by the details of this or any other portion of the disclosure that may be referred to.

On the other hand, the apparatus of Claim 1 does not merely display the message data when the period of time elapses, but displays the message data when it is discriminated that the manual instruction has not been input by the operator for that period of time. That is, the apparatus of Claim 1 displays the message data on the display unit after discriminating that the operation by the operator has not been executed, and thus enables the message data to be displayed in such manner as not to prevent the operation by the operator. Applicants believe strongly that nothing in *Ozaki* would teach or suggest such use, much less the structure recited in Claim 1 (at least the “a discrimination unit, arranged to discriminate whether or not the manual instruction by the operator is not input for a period of time”).

In addition, Applicants strongly believe that nothing in *Ozaki* would teach or suggest where and how the period of time is set. Claim 1, as shown above, recites that time information is received from the external device that is the source of the message data, and that that time information determines the period of time. That is, this implies that the content of the message data and the time condition for displaying the message data can be set on the external device. Applicants submit that nothing in *Ozaki* would teach or suggest setting the period of time in this fashion.

For all these reasons, therefore, Claim 1 is believed to be clearly allowable over *Ozaki*.

Davis relates to a TV program reservation guide system which comprises a receiver for receiving satellite broadcasting and the like, and a tuner. In this system, a user executes an operation by means of a remote control, and the operation content is displayed on a TV receiver. In the *Davis* system, when there is no user's operation instruction within a predetermined period of time, a pop-up hint corresponding to the cursor position at that

time is overlay-displayed. Even if the *Davis* system be deemed to be similar in this respect (displaying a message when there is no operation within a certain period of time), however, Applicants submit that in the *Davis* system the relevant hint is stored in a memory beforehand (lines 17-20 of column 13), and no suggestion has been found, or pointed out, in that document contains that the hint is received from an external device. Moreover, in the *Davis* system, the predetermined period of time is set in the memory by the user's operation using the remote control (lines 37-42 of column 14), and nothing has been found or pointed out in that document that would teach or suggest the period of time being set using time information received from an external device. (It should be noted that the remote control is merely a device for operating the system, and does not correspond to the external device referred to in Claim 1; if arguendo the remote control were deemed to be the external device, Applicants submit that nothing in *Davis* is seen to suggest that the remote control provides the content of the hint as well.)

For all these reasons, therefore, Claim 1 also is believed to be clearly allowable over *Davis*.

Independent Claims 15 and 18 are, respectively, a method and a computer-readable memory-medium claim corresponding to apparatus Claim 1, and are believed to be clearly allowable over *Ozaki* and over *Davis* for at least the reasons discussed above with regard to Claim 1.

A review of the other art relied upon by the Examiner has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from independent Claim 1, and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and allowance of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



Leonard P. Diana
Attorney for Applicants
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 563923v1